



Howard Planning and Zoning Minutes



MINUTES HOWARD COUNTY PLANNING & ZONING February 18, 2015

A meeting of the Howard County Planning & Zoning Commission was convened in Open and Public session on the 18th of February, 2015 in the Assembly Room of the Howard County Courthouse, St. Paul, Nebraska.

Chairman Terry Spilinek called the meeting to order at 7:05 p.m. The Open Meeting Act is posted in the rear of the room. Administrator Klinginsmith read the Notice of Meeting. A proof of publication is filed at the Howard County Clerk's office.

Roll call showed 6 members present: Daryl Anderson, Jeff Christensen, Ken Kozisek, Ron Kulwicki, Jack Reimers, and Terry Spilinek. Those absent were: Randy Kauk and Dave Sack. Also present were Cherri Klinginsmith, Planning & Zoning Administrator, Molly Tebo, Zoning Secretary, and members of the public including: Lonnie Dickson, Julie Wright, Cecil Kennedy, Wynona Kennedy and Tim Scheer.

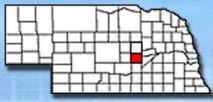
The Agenda and Minutes were e-mailed to the Board Members prior to the meeting. A motion was made by Ken Kozisek and seconded by Jeff Christensen to approve the minutes of the January 21, 2015 meeting. The motion carried on unanimous voice vote.

Administrator Klinginsmith provided the board the names of the individuals interested in being a board member. They are Chris Kosmicki, Carl Jorgensen, Ken Hirschman, and Caitlin Jerabek. These names will be presented to the Commissioners at the February 24 meeting. This person will fill the position vacated by Lauren Scarborough.

At 7:08 p.m. a discussion was held regarding the update of the Howard County Comprehensive Plan. Lonnie Dickson from Hanna:Keelan provided the board a copy of the draft 2015 Comprehensive Plan and the amended zoning and subdivision regulations. Mr. Dickson stated the difference between the old plan and the new plan is the incorporation of the zoning criteria for each of the Villages in the county. Lonnie also pointed out the energy component that was added to the regulations to include Net Metering. The special use provision regarding Net Metering will be added to the rural districts as well. The next meeting to discuss the Comprehensive Plan will be in March 2015.

At 8:00 p.m. the public hearing regarding the A-1, A-2, A-3 Zoning Regulation wording regarding Farm and Commercial Animal Feeding Operation distances from residences was opened. Cherri Klinginsmith read the Notice of Hearing. Cherri presented the case and stated at the January 21, 2015 meeting an easement form was created to allow a waiver for accepting/approving a Conditional Use Permit which would be for residences and commercial feedlot owners to sign stating they are okay with their residence being within an Odor Footprint. After the meeting a couple people asked Cherri why farm feedlots were not included in the waiver. The purpose of this hearing is to include the word **farm** so any feedlot and/or any residence can apply for the easement.

A motion was made by Jeff Christensen to approve the changes regarding the A-1, A-2, A-3 zoning regulation wording to include farm and commercial animal feeding operations from residences. Jack Reimers seconded the motion and the motion passed by unanimous voice vote 6-0. A Finding of Fact was completed (copy attached).



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At 8:07 p.m. the public hearing regarding a Conditional Use Permit by Eagle Heart Ranch, Inc. to expand from a farm feedlot to a Class I feedlot was opened. Cherri Klinginsmith read the Notice of Hearing. Cherri stated she talked to Tamara Roth earlier in the day and their neighbors want to talk to their lawyer before they sign the easement form. Since the application was not completed the board was not able to act on this item.

At 8:15 p.m. a discussion was held regarding Cecil and Wynona Kennedy selling off a farmstead in A-3 zoned land. Cecil Kennedy stated that he and his wife would like to sell their house along with 7-10 acres of land. Regulations for land located in the A-3 Agriculture-Conservation District state that a minimum lot area of 80 acres can be sold. The land is also close to the floodplain but not in it. Chairman Spilinek stated if the floodplain moved the board may be able to rezone a strip of the Kennedy's land. If it did not move, then the Kennedy's next step would be to request a variance. Cherri stated she would check the floodplain and let the Kennedy's know what their next option would be.

At 8:25 p.m. a discussion was held regarding Julie Wright (TLC Livestock). Cherri stated that in June 2014, a variance was approved to allow Ms. Wright a reprieve of the Class I regulations for calendar year 2014 due to health reasons. Regulations state there has to be over 500 head for six months in a calendar year. Ms. Wright wanted to know if she has animals for less than 6 months, will she lose her permit. The board agreed that if her intent is to keep above the number of Animal Units (AU), Ms. Wright's Class I Odor Footprint will remain active. Administrator Klinginsmith will check on other counties provisions regarding time allowed in one calendar year for animals to be confined.

At 9:05 p.m. a discussion was held regarding a husband/wife taxidermy business. Someone was interested in buying a residence and running a taxidermy business in one of the outbuildings. Regulations currently state in order to have a home-based business it needs to be within the residence. Is this something we want to change in the regulations to include running a home-based business in an outbuilding and also adding a definition for Taxidermy? The board stated the regulations should be modified for home occupations.

At 9:15 p.m. a discussion was held on the Livestock Friendly County Program. Kathy Hirschman stated the Commissioners want to know with what we have in our regulations if we apply for the program without changing anything, would we be considered livestock friendly. With that, the Commissioners are asking for the Zoning Board's recommendation. Jeff Christensen stated the board would like to see a copy of LB106 for additional information on the program. A public hearing will be scheduled on this item at next month's meeting.

At 9:28 p.m., a motion was made by Jeff Christensen and seconded by Ken Kozisek to adjourn. The motion carried by unanimous voice vote. The next meeting will be scheduled for March 18, 2015.

Molly Tebo, Secretary